

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ANTHONY ZARA, Plaintiff,)	
)	
v.)	Case No. 16-cv-5156
)	
DEVRY, INC.; DEVRY MEDICAL INTERNATIONAL, INC.)	Judge Andrea R. Wood
d/b/a ROSS UNIVERSITY SCHOOL OF VETERINARY)	
MEDICINE; and ALEXA FERRARI, Defendants.)	

**DEFENDANT ALEXA FERRARI'S MOTION FOR EXTENSION OF TIME TO FILE HER
RULE 12(B)(2) MOTION TO DISMISS FOR LACK OF PERSONAL JURISDICTION**

Defendant Alexa Ferrari ("Ferrari"), by her attorneys and pursuant to Fed. R. Civ. P. Rules 6(b) and 12(b)(2), requests the Court to extend the time to file her Rule 12(b)(2) motion to dismiss plaintiff's claims against her for this Court's lack of personal jurisdiction. In support of this motion, Ferrari states as follows:

1. Plaintiff filed this case on May 11, 2016. He filed an amended complaint on May 13, 2016. (R. 3). Ferrari received the complaint and summons on May 20, 2016.¹
2. On May 17, 2016, plaintiff filed a motion for preliminary injunction against Ross University, asking the Court to order that the university reinstate him into its veterinary school on St. Kitts island in the Caribbean Sea, an independent foreign nation.

¹ Plaintiff had a classmate of Ferrari serve the complaint and summons on her at Ross University on St. Kitts in front of an entire class of students. It is unclear whether such service is sufficient under Rule 4(c) and (f) (though plaintiff's classlessness in doing so is quite clear). Nevertheless, Ferrari will not challenge the sufficiency of service.

(see <http://www.state.gov/p/wha/ci/sc/>). Ross University² expelled plaintiff in mid-April 2016 after finding that he violated university policy regarding his alleged abuse and harassment of Ferrari (another Ross University veterinary student on St. Kitts), his apartment property manager on St. Kitts, and the St. Kitts police department. (See 4/15/16 expulsion letter, attached to plaintiff's 5/17/16 PI motion, R. 4-2, exhibit 1 here).

3. On May 24, 2016, Ferrari filed her attorney appearance in this case (R. 6). Assuming the sufficiency of plaintiff's 5/20/16 service, her response to the amended complaint is due on June 10, 2016.

4. Ferrari intends to file a Rule 12(b)(2) motion to dismiss plaintiff's claims against her for lack of personal jurisdiction. In counts 4 and 5 of his amended complaint, plaintiff alleged that Ferrari intentionally inflicted emotional distress on plaintiff and tortiously interfered with his 'contract' with Ross University. (Am. Compl., pp. 19-21).

5. For personal jurisdiction, plaintiff alleged only that Ferrari (1) was a resident of Tennessee; (2) had a relationship with plaintiff on St. Kitts in 2015 while both attended Ross University veterinary school there; (3) filed false police reports against plaintiff with the St. Kitts police department; and (4) submitted false reports against plaintiff with Ross University's St. Kitts administration and security department.

² Ferrari does not know the proper identity of either 'DeVry' defendant. Her references to 'Ross University' should not be taken as any admission that plaintiff properly named either defendant.

6. Plaintiff did not allege any sufficient contacts between Ferrari and Illinois or this judicial district, nor did plaintiff otherwise allege how this Court's personal jurisdiction over Ferrari would satisfy Due Process standards.

7. Further, plaintiff is a citizen of Florida, who himself has no apparent sufficient contacts with Illinois or this judicial district. (Am. Compl., R. 3, ¶ 5).

8. Ferrari intends to show in her Rule 12(b)(2) papers that this Court has no general or specific jurisdiction over her, and that exercising personal jurisdiction over her would violate Due Process.

9. Ferrari requests to extend the deadline for her motion until after resolution of plaintiff's PI motion, or until some other appropriate time.

WHEREFORE, Ferrari requests the Court to enter an Order extending the deadline for her to file her Rule 12(b)(2) motion to dismiss plaintiff's claims against her for this Court's lack of personal jurisdiction, and granting her any other appropriate relief.

DATE: May 24, 2016

Scott A. Schaefer
BROTSCUL POTTS LLC
30 N. LaSalle St., Ste. 1402
Chicago, IL 60602
Phone: (312) 268-6795
Email: sschaefer@brotschulpotts.com

Respectfully submitted,

ALEXA FERRARI, Defendant.

By: /s/ Scott A. Schaefer
Scott A. Schaefer, one of her attorneys

CERTIFICATE OF SERVICE

Scott A. Schaefer, an attorney for defendant Alexa Ferrari, certifies that on **May 24, 2016**, he served a copy of her **Motion For Extension Of Time To File Her Rule 12(B)(2) Motion To Dismiss For Lack Of Personal Jurisdiction** on the parties' counsel of record via the Court's CM/ECF system.

/s/ Scott A. Schaefer

Scott A. Schaefer